

Case Number:	CM14-0039775		
Date Assigned:	06/27/2014	Date of Injury:	05/25/2012
Decision Date:	12/03/2014	UR Denial Date:	03/20/2014
Priority:	Standard	Application Received:	04/04/2014

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is licensed in Acupuncture and is licensed to practice in California. He/she has been in active clinical practice for more than five years and is currently working at least 24 hours a week in active practice. The expert reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and disputed items/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

The injured worker is a 48 year old male who reported neck, upper back, low back and right shoulder pain from injury sustained on 05/25/12. Mechanism of injury was not documented in the provided medical records. Patient is diagnosed with cervical spine disc bulge, thoracic strain, lumbar spine disc rupture with radiculopathy, and right shoulder internal derangement. Patient has been treated with medication, injection, physical therapy, manipulative therapy and acupuncture. Per medical notes dated 01/15/14, patient complains of neck, upper back, low back and right shoulder pain. Patient also experienced anxiety and depression. Per medical notes dated 01/30/14, patient complains of neck and low back pain rated at 8/10. Examination revealed decreased range of motion of the cervical and lumbar spine. Provider requested additional 6 acupuncture treatments for the cervical, thoracic and lumbar spine; and right shoulder. Medical reports reveal little evidence of significant changes or improvement in findings, revealing a patient who has not achieved significant objective functional improvement to warrant additional treatment.

IMR ISSUES, DECISIONS AND RATIONALES

The Final Determination was based on decisions for the disputed items/services set forth below:

Acupuncture one session per week for six weeks tot he cervical, thoracic, and lumbar spine and right shoulder: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Per MTUS- Section 9792.24.1 Acupuncture Medical treatment Guidelines page 8-9. "Acupuncture is used as an option when pain medication is reduced and not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to hasten functional recovery". "Time to produce function improvement: 3-6 treatments. 2) Frequency: 1-3 times per week. 3) Optimum duration: 1-2 months. Acupuncture treatments may be extended if functional improvement is documented". Patient has had prior acupuncture treatment. Per medical notes dated 01/30/14, patient complains of neck and low back pain rated at 8/10. Examination revealed decreased range of motion of the cervical and lumbar spine. Provider requested additional 6 acupuncture treatments for cervical spine, thoracic spine, lumbar spine and right shoulder. There is lack of evidence that prior acupuncture care was of any functional benefit. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. Medical reports reveal little evidence of significant changes or improvement in findings, revealing a patient who has not achieved significant objective functional improvement to warrant additional treatment. Additional visits may be rendered if the patient has documented objective functional improvement. Per MTUS guidelines, Functional improvement means either a clinically significant improvement in activities of daily living or a reduction in work restrictions as measured during the history and physical exam or decrease in medication intake. Per review of evidence and guidelines, 1X6 acupuncture treatments are not medically necessary.